Environmental Governance and Activism in a Democratic Regime: Discourses from India

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India's transition from a poor, drought- and famine-ridden country to one of the world's booming economies has been a tough one. Many developing countries like India now face the challenge of making their cities both ecological and economically sustainable. Such cities must continue to tackle and channelize the aspects responsible for poverty and growth offered by urbanization; at the same time, they need to mitigate the negative impacts of urbanization so that the cities can cope with the future scale of urbanization, considering their own limitations and capacities. There is a need to restructure and reexamine the existing institutional and policy structure in the multi-hierarchical environmental governance regime of India.

Fig. 1: 32nd anniversary of the Bhopal Disaster. Rallies and parades, in commemoration of the dead and as a protest for justice. Image reproduced under a Creative Commons License courtesy of Iris Janssens /Bhopal Medical Appeal on Flickr.

Environmental policies in India and their historical discourses

In Article 48 of the Directive Principles of State Policy,[1] it is stated that every state shall endeavor to protect and improve the environment and safeguard the forests and wildlife. Article 51-A further emphasizes the duties of citizens of India to protect and improve the natural environment. The popular discourse around environmental governance in India suggests that such governance has emerged as a response to global initiatives, and that external discourses have influenced the regime. However, this negates the long-term vision of Indian policymakers themselves. An alternate discourse has been that social movements in India have acted as a driving force behind demands for governance. Scholars like Kohli accede this opinion and state that societal forces have contributed prominently to the evolution of governance in India.[2]

The National Planning Commission of India was instituted in 1950 with economic development as its primary objective. Its first task was to prepare "Five-Year Plans" (FYP) for fulfilling this intended aim. In its nascent stage, the FYPs focused more on development rather than environmental management. However, the fourth FYP (1969-1974) made special mention of the need for environmental protection, and it stressed the importance of both environmental and economic concerns. In 1972, speaking at The United Nations Conference on the Human Environment (UNCHE), Indira Gandhi famously observed, "Environment cannot be developed in the condition of poverty, the major cause and effect of global environmental problems. Hence the new development paradigm is growth with equity, stability and sustainability." This speech further highlighted environmental concerns.[3] In the aftermath of the Bhopal Gas Tragedy in 1984, environmental activism in India increased drastically. This was a landmark event in the environmental history of India. The inadequacy of the existing governance structure in preventing the disaster – and the inadequacy of legal and administrative procedures pertaining to victims – stirred people's awareness towards environmental negligence (Fig. 1). This was one of the major factors contributing to the formation of The Environmental Protection Act of 1986 in tandem with the formation of a central authority: the Ministry of Environment and Forests (MoEF), now the Ministry of Environment, Forests and Climate Change (MoEFCC). This was followed by numerous legislations and acts to further strengthen environmental policy and law in India. Along with the previous policies, the MoEF also launched the National Environmental Policy (NEP) in 2006.

The 2006 NEP was drafted to fill in the gaps that still existed in India's approach to the environment, and it built on previous policies instead of negating them. The main objective of the NEP is to improve environmental conditions while fostering the economy of the nation. It also endorses recognition of environmental concerns within development activities. However, while the regulatory mechanisms for environmental governance in India have meticulous statutes and regulations, implementation and monitoring capabilities are weak. This is due to the segregation of duties when it comes to environmental policymaking between national, state, and local governments.[4] In addition, environmental governance also involves a multitude of different actors: state institutions, international organizations, and civil society groups (e.g., NGOs, universities, community organizations, etc.). The gap between government mechanisms and citizens is often bridged by intermediary organisations like think tanks, which are pivotal agencies for lobbying and addressing challenges in policy making.[5] There has been a recognition that civil society organizations can contribute to creating discursive, inclusive spaces for people to debate policies that concern them. In India, they are intermediary spaces acting as channels for ongoing dialogues. These organizations may be funded and organized by the state, or affiliated to the state, and they serve as places where citizens are invited for their contributions. The Centre for Policy Research (CPR) is one such think tank located in New Delhi, which focuses on developing policy opinions and provides advisory services to governments. It also disseminates information on policy issues via various channels.

Environment, urbanization, and the democratic regime

According to a recent report in *The Economic Times*, India is one of the worst performers on the Global Environmental Performance Index. It is among the bottom five countries on the list, plummeting from 141st in 2016 to 177th in 2018,[6] according to a biennial report by Yale and Columbia Universities along with the World Economic Forum. India is at the bottom of the list in the environmental health category. Many of the country's environmental concerns stem from its urbanization problems.

The problem of urbanization is very critical in India. India accounts for nearly 16 percent of the world's total human population, with only 2.5 percent of the world's total geographic area.[7] The percentage of urbanization in the country has also increased rapidly over the years. Currently, India's urban population is about 377 million people, which is almost 30 percent of the total population. The urban population of India will reach nearly 600 million by 2031.[8] This rapid urbanization in India has transformed the urban landscape, thereby leading to several environmental problems. It is expected from these projections that Indian cities will suffer from severe environmental degradation and unhealthy living conditions. Often, cities in a developing country have informal and complex governance structures with multiple tiers of governing institutions. In India, the government is a type of federal structure, comprising many institutions at various tiers of governance. In India's federal structure, the provisioning of urban services rests primarily at the central and state levels, with urban local bodies having little control beyond implementation.[9] The governance in Indian cities is marked by a complex arrangement of laws, which involves municipal and non-municipal institutions with tangled jurisdictions.

Whether or not the democratic regime has a direct and influential impact on India's environmental laws is yet to be properly evaluated, given that India faces challenges because of its political, economic, and social-cultural diversity. It is not easy to tackle the magnitude of challenges which India is currently facing. There have been various success stories, such as the Delhi government's initiative to replace petrol and diesel in public vehicles with Compressed Natural Gas (CNG). This was driven by public interest litigations and a public campaign for clean air and health, which gathered momentum in the later part of the 1990s. Following this, the Supreme Court issued several judicial mandates to ensure the implementation of the initiative in Delhi.

Nevertheless, India's transition to sustainability still has a long way to go as compared to Western counterparts. The country has elaborate regulations on many environmental aspects but monitoring and enforcement capabilities remain weak. To ensure public participation in the policy process, civil society must be considered as a functional feature of a democracy, and its participatory role must be defined in the draft plans to institutionalize its activities. Civil society groups can play an important role in environmental education, thereby bridging the gap between the state and individuals.

Therefore, civil society in India has huge potential to mitigate the environmental issues due to increasing environmental problems.

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Notes

1   The Directive Principles of State Policy of India are the guidelines, or 15 principles, given to the federal institutes governing the State of India, to be kept in citation while framing laws and policies.

2   Kohli, A. (1994). Centralization and powerlessness: India's democracy in a comparative perspective. In J. Migdal, A. Kohli, & V. Shue (Eds.), *State Power and Social Forces: Domination and Transformation in the Third World* (Cambridge Studies in Comparative Politics, pp. 89-107). Cambridge: Cambridge University Press. doi:10.1017/CBO9781139174268.007

3   Oommen, M. A. (2018). Jairam Ramesh, Indira Gandhi: A Life in Nature. *History and Sociology of South Asia*, 12(1), 107–110. https://doi.org/10.1177/2230807517733912

4   Gupta, S. (2014). Environmental Policy and Governance in a Federal Framework: Perspectives from India. In Environmental Policies in Asia (pp. 15–42). *World Scientific*. https://doi.org/10.1142/9789814590488_0002

5   Singh, R., Sharma, N. N., & Jha, U. (2014). Think Tanks, Research Influence and Public Policy in India. *Vision: The Journal of Business Perspective*, 18(4), 289–297. https://doi.org/10.1177/0972262914552173

6   The Press Trust of India. (2018). India ranks 177 out of 180 in Environmental Performance Index. *The Economic Times* (January 24). Available at https://economictimes.indiatimes.com/news/economy/indicators/india-ranks-177-out-of-180-in-environmental-performance-index/articleshow/62637626.cms?from=mdr

7   United Nations Environment Programme. (2001). India: State of the Environment 2001. https://wedocs.unep.org/handle/20.500.11822/29566?show=full

8   United Nations Department of Economic and Social Affairs/Population Division. (2011). World urbanization prospects: the 2011 revision. Available at https://www.un.org/en/development/desa/population/publications/pdf/urbanization/WUP2011_Report.pdf

9   Sivaramakrishnan, K. C. (2013). Revisiting the 74th constitutional amendment for better metropolitan governance. *Economic and Political Weekly*, 48(13), 86–94.